

**ORIGINAL**

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

FEB 17 2006

at 3 o'clock and 52 min. p.m.  
SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

IN THE MATTER OF THE	) Civil NO. CV05-00037 HG-BMK
COMPLAINT OF BLUE	) [3 Consolidated Cases]
DOLPHIN CHARTERS, LTD.	)
AND TERRY DONNELLY, AS	)
OWNERS OF THE VESSEL	)
M/V BLUE DOLPHIN, O/N	) OFFER TO ALLOW MONEY
1082213, FOR	) JUDGEMENT TO BE TAKEN AGAINST
EXONERATION FROM	) LIMITATION PLAINTIFF/DEFENDANT
AND/OR LIMITATION OF	) BLUE DOLPHIN CHARTERS, LTD., IN
LIABILITY	) FAVOR OF MATTHEW ISHAM,
	) INDIVIDUALLY UNDER FED. RULE
	) CIV. P. 68
	)
	)
	)
	)
	)
	)
	)
	)

EXHIBIT " V "

MATTHEW ISHAM, ) CIVIL NO.: CV 04 00559 HG-BMK  
individually and as Guardian Ad )  
Litem for HAYDEN ISHAM, a )  
minor; ROXANNE BEST )  
ISHAM, )  
 )  
 )  
Plaintiffs, )  
 )  
 )  
vs. )  
 )  
 )  
BLUE DOLPHIN CHARTERS, )  
LTD. and BLUE DOLPHIN )  
DIVING, LTD., CAPTAIN )  
ANDY'S SAILING, INC., )  
DOES 1 - 50, )  
 )  
 )  
Defendants. )  
 )

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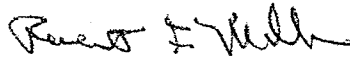
DENNIS CLAYPOOL, ) CIVIL NO.: CV 04 00570 HG-BMK  
individually and as Guardian ad )  
Litem for KRISTEN )  
CLAYPOOL, a minor, SHERYL )  
CLAYPOOL, SCOTT )  
CLAYPOOL, AND KRISTEN )  
CLAYPOOL, )  
 )  
 )  
Plaintiffs, )  
 )  
 )  
vs. )  
 )  
 )  
CAPTAIN ANDY'S SAILING, )  
INC., BLUE DOLPHIN )  
CHARTERS, LTD. And BLUE )  
DOLPHIN DIVING, LTD., )  
 )  
 )  
Defendants. )  
 )

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COMES NOW LIMITATION PLAINTIFF/DEFENDANT BLUE DOLPHIN

CHARTERS, LTD., pursuant to Fed/ R. Civ. P. 68, who herewith offers to allow a "new money" judgement to be taken against it, in the amount of Two Million Nine Hundred Seventy Five Thousand (\$2,975,000.) Dollars in favor of Plaintiff/Limitation Claimant MATTHEW ISHAM, individually only.

Dated: HONOLULU, HAWAII, February 13, 2006.



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ROBERT F. MILLER

Attorney for Terry Donnelly and Blue Dolphin  
Charters, Ltd.

**Joy M. Clemente**

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**From:** hid\_resp@hid.uscourts.gov  
**Sent:** Sunday, February 19, 2006 5:15 PM  
**To:** hawaii\_cmecf@hid.uscourts.gov  
**Subject:** Activity in Case 1:05-cv-00037-HG-BMK Blue Dolphin Charter, et al v. "Notice of Acceptance with Offer of Judgment"  
**Follow Up Flag:** Follow up  
**Flag Status:** Blue

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**U.S. District Court**

**District of Hawaii - CM/ECF V2.5 (11/05)**

**Notice of Electronic Filing**

The following transaction was received from afc, entered on 2/19/2006 at 5:14 PM HST and filed on 2/17/2006

**Case Name:** Blue Dolphin Charter, et al v.  
**Case Number:** 1:05-cv-37  
**Filer:** Blue Dolphin Charters, Ltd.  
Terry Donnelly  
**Document Number:** 193

**Docket Text:**

OFFER to allow money judgment to be taken against limitation plaintiff/defendant Blue Dolphin Charters, Ltd., in favor of Matthew Isham, individually, under FRCP 68 - filed by Limitation Plaintiff/Defendant Blue Dolphin Charters, Ltd. in CV 04-00559HG-BMK, 04-00570HG-BMK, and 05-00037HG-BMK (afc)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1095854936 [Date=2/19/2006] [FileNumber=34376-0]  
[bae739e6f9a06c849ef9825049b4da7a0c659241540f0a8119b202a5d936d5baf0752  
0564f9e189bbd6713cded7f4a3ee3a576241c560eb3f5a97c598e91aeba]]

**1:05-cv-37 Notice will be electronically mailed to:**

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**1:05-cv-37 Notice will be delivered by other means to:**

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